

In the Matter of)	
)	
SPRINGFIELD DAY NURSERY)	
a/k/a SQUARE ONE,)	
Employer,)	NLRB Case No: <u>01-CA-062517</u>
)	<u>01-CA-064951</u>
and)	<u>01-CA-064955</u>
)	<u>01-CA-064961</u>
UNITED AUTOMOBILE, AEROSPACE, AND)	<u>01-CA-074917</u>
AGRICULTURAL IMPLEMENT WORKERS OF)	<u>01-CA-079132</u>
AMERICA AFL-CIO, LOCAL 2322,)	
)	
Charging Party.)	Date: <u>September 13, 2012</u>

NOW COMES the Respondent, Springfield Day Nursery a/k/a Square One, by and through undersigned counsel, and hereby moves, pursuant to Board Rules § 102.43, for a continuance of the trial in the above-referenced matters for the following reasons:

1. Richard Tremblay is the Respondent's Senior Human Resources Administrator.
2. The Respondent intends to call Mr. Tremblay as a witness during its case-in-chief.
3. On September 12, 2012, Mr. Tremblay was informed by a neurosurgeon that his domestic partner has a serious health condition likely involving a tumor and for which immediate diagnostic and treatment appointments are required and expected to happen next week.
4. As a result, Mr. Tremblay is no longer available to prepare for the hearing, assist with preparation of records and documents, nor testify as a witness for the

resumption of the trial, currently scheduled for September 19, 20, and 21. Respondent anticipates that Mr. Tremblay will be available to testify within the next month.

5. Mr. Tremblay was Subpoenaed by General Counsel and testified during General Counsel's case-in-chief. At that time, Respondent reserved its cross-examination of Mr. Tremblay until such time as it called him as a witness in its case-in-chief. As such, Respondent has not yet had the opportunity to cross-examine Mr. Tremblay as to what he testified to during General Counsel's case-in-chief.
6. Mr. Tremblay provided a sworn witness affidavit during the Board's investigation of charge 01-CA-079132.
7. The testimony of Mr. Tremblay is essential to the presentation of the Respondent's defense.

WHEREFORE, based on the foregoing, the Respondent respectfully requests that its Motion for Continuance be ALLOWED to secure the presence of Mr. Tremblay as a witness.

Respectfully submitted,

SPRINGFIELD DAY NURSERY,
a/k/a SQUARE ONE

By its attorneys



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